

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

SHELDON LEHMAN, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

CITIGROUP GLOBAL MARKETS,
INC., SUCCESSOR IN INTEREST TO
LEGG MASON WOOD WALKER, INC.;
LEGG MASON, INC; and DOES 1
through 10, inclusive,

Defendants.

Civil Action No. 06-02484

Judge Sylvia H. Rambo

ORDER GRANTING PRELIMINARY APPROVAL OF SETTLEMENT

Before the court is a joint motion by Sheldon Lehman, as Class Representative, on behalf of himself and all others similarly situated, and Defendant Citigroup Global Markets Inc. Upon consideration of the Joint Stipulation and Settlement Agreement (“Stipulation”) and the proposed Notices Regarding Pendency Of A Class And Collective Action And Notice Of Hearing On Proposed Settlement (“Class Notices”) and attached exhibits, the Joint Motion For Preliminary Approval Of Class Settlement, and memorandum of law in support thereof, **IT IS HEREBY ORDERED THAT:**

1. The court finds on a preliminary basis that the settlement memorialized in the Stipulation (the “Settlement”), filed with the Court, falls within the range of reasonableness and therefore meets the requirements for preliminary approval.

2. The court conditionally certifies, for settlement purposes only, the following class (“FLSA Settlement Class”) for the purpose of the settlement of claims arising under the Fair Labor Standards Act:

Any former financial advisor, securities broker, financial services representative, investment broker, account executive, account representative or financial consultant who was employed by Legg Mason Wood Walker, Inc. in any

branch outside of Pennsylvania at any time between June 30, 2005 and December 30, 2005, or the estates of such individuals.

3. The court also conditionally certifies, for settlement purposes only, the following class ("Pennsylvania Settlement Class") to settle claims pursuant to the Pennsylvania Minimum Wage Act and Wage Payment and Collection Law:

Any former financial advisor, securities broker, financial services representative, investment broker, account executive, account representative or financial consultant who was employed by Legg Mason Wood Walker, Inc. in a Pennsylvania branch at any time between December 29, 2003 and December 30, 2005, or the estates of such individuals.

4. The court finds, for settlement purposes only, that that the Pennsylvania Settlement Class meets the requirements for certification under Rule 23(a) and Rule 23(b)(3) of the Federal Rule of Civil Procedure.

5. The court finds, for settlement purposes only, that the FLSA Settlement Class meets the requirements for collective action certification under Section 216(b) of the Fair Labor Standards Act.

6. This Order, which conditionally certifies a class and collective action for settlement purposes only, shall not be cited in any matter for the purpose of seeking class or collective action certification or class or collective action notice.

7. The court for purposes of facilitating a class settlement appoints Sheldon Lehman as Class Representative for the Pennsylvania Settlement Class.

8. The court designates the law firm of Barroway Topaz Kessler Meltzer & Check as Class Counsel.

9. The court appoints for settlement purposes the firm of Settlement Service, Inc. as Claims Administrator.

10. The Class Notices, attached to the Stipulation as Exhibits 1 and 2, with their attachments (Election to Opt Out of Settlement, Change of Name and/or Address Information, Notice of Compensable Work Months, Claim Form and Consent to Join Settlement Class) are approved. The Claims Administrator is ordered to mail those documents to the Class Members as provided in the Stipulation.

11. Any written objection to the Settlement must be filed with this Court no more than ninety (90) days after the Class Notices are mailed to the Class Members by the Claims Administrator.

12. The court will conduct a Final Approval Hearing on Thursday, November 4, 2010 at 2:00 p.m. in Courtroom No. 3, Eighth Floor, Federal Building, Third and Walnut Streets, Harrisburg, Pennsylvania, to determine the overall fairness of the Settlement and to fix the amount of attorneys' fees and costs to Class Counsel. The Final Approval Hearing may be postponed or continued without further notice to Class Members.

13. The parties shall file their motion for final approval of the Settlement, and Class Counsel shall file their motion for attorneys' fees and costs on or before October 15, 2010.

Dated: May 11, 2020

s/Sylvia H. Rambo

United States District Court Judge